

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

**APPLE INC.,**

**Counterclaimant,**

**v.**

**HTC CORPORATION,**

**Counterclaim Defendant.**

Civil Action No. *1:12cv686*

**[PROPOSED] ORDER GRANTING COUNTERCLAIMANT APPLE INC.'S MOTION  
TO SEAL DOCUMENT**

The Court having reviewed Counterclaimant Apple Inc.'s Counterclaim, its motion to seal, and non-confidential memorandum in support of that motion, and good cause having been shown, the motion to seal be and is hereby **GRANTED**.

*First*, Apple notified the public of its pending motion and provided it with an opportunity to bring objections to sealing the documents that are the subject of this motion. *Second*, Apple has established that there are no less drastic alternatives than to seal its Counterclaims, as they contain sensitive and confidential business information ("CBI"), including communications, interactions, and correspondence between HTC and third parties pertaining to HTC's business strategy. *Third*, both Apple and HTC have signed an ITC protective order and failing to seal this information would result in a violation of that protective order. Finally, the confidential nature of the information sought to be protected in these documents outweighs the public's right of access to judicial documents.

In light of the foregoing, and pursuant to Local Rule 5, it is hereby **ORDERED** that Counterclaimant Apple Inc.'s Counterclaim that was removed from the International Trade Commission to this Court be **SEALED**.

Entered this \_\_\_\_ day of July, 2012.

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United States District Judge